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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

JOHN ARMSTRONG, et al.,

Plaintiff,

v.

EDMUND G. BROWN, JR., et al.,

Defendant.

Case No. C94 2307 CW

**~~PROPOSED~~ STIPULATED ORDER
CONFIRMING UNDISPUTED
ATTORNEYS' FEES AND COSTS
FOR THE SECOND QUARTER OF
2016**

Judge: Hon. Claudia Wilken

1 On March 26, 1997, the District Court established procedures by which Plaintiffs
2 are to collect periodic attorneys' fees and costs in this case in connection with their work
3 monitoring Defendants' compliance with the Court's Orders and collecting fees.

4 Pursuant to these procedures, on July 22, 2016 Plaintiffs served on Defendants their
5 Second Quarterly Statement for 2016 by overnight delivery. The parties completed their
6 meet-and-confer process on August 26, 2016 as to the fees and costs incurred on all
7 matters.

8 As a result of the August 26, 2016 agreement, the parties agree to the following:

9 The parties agree to the payment of \$1,276,571.34 to resolve all fees and costs
10 incurred during the Second Quarter of 2016, for monitoring and/or litigation activities in
11 the California Department of Corrections of Rehabilitation Division of Adult Operations
12 and Adult Programs (CDCR AOAP) portion of the case. Attached hereto as **Exhibit A** are
13 charts setting forth the fees and costs claimed by Plaintiffs and the amounts agreed to by
14 the parties to settle these claims.


15 The parties agree to the payment of \$33,411.66 to resolve all fees and costs incurred
16 during the Second Quarter of 2016, for monitoring and/or litigation activities in the Board
17 of Parole Hearings (BPH) portion of the case. Attached hereto as **Exhibit B** are charts
18 setting forth the fees and costs claimed by Plaintiffs and the amounts agreed to by the
19 parties to settle these claims.

20 The parties agree to the payment of \$284,135.78 to resolve all fees and costs
21 incurred during the Second Quarter of 2016, for monitoring and/or litigation activities in
22 the Division of Adult Parole Operations (DAPO) portion of the case. Attached hereto as
23 **Exhibit C** are charts setting forth the fees and costs claimed by Plaintiffs and the amounts
24 agreed to by the parties to settle these claims.

25 The parties agree to the payment of \$18,947.92 to resolve all fees and costs incurred
26 during the Second Quarter of 2016, for fees on fees. Attached hereto as **Exhibit D** are
27 charts setting forth the fees and costs claimed by Plaintiffs and the amounts agreed to by
28 the parties to settle these claims.

1 IT IS HEREBY ORDERED that the amounts set forth above are due and
2 collectable as of forty-five days from the date of entry of this Order. Interest on these fees
3 and costs will run from August 22, 2016, accruing at the rate provided by 28 U.S.C.
4 § 1961.

5
6 DATED: September 16, 2016


Claudia Wilken
United States District Judge

7
8
9 APPROVED AS TO FORM:

10
11 DATED: August 29, 2016

/s/Sharon A. Garske

Sharon A. Garske
Deputy Attorney General
Attorney for Defendants

12
13
14 DATED: August 29, 2016

/s/Gay C. Grunfeld

Gay C. Grunfeld
Rosen Bien Galvan & Grunfeld LLP
Attorney for Plaintiffs

EXHIBIT A

Armstrong v. Brown
Second Quarterly Statement of 2016
April 1, 2016 through June 30, 2016

CDCR/AOAP SUMMARY OF UNDISPUTED FEES AND COSTS

<u>MATTER</u>	<u>UNDISPUTED FEES</u>	<u>UNDISPUTED COSTS</u>
CDCR/AOAP MONITORING	\$1,244,703.52	\$31,867.83
	TOTAL:	\$1,276,571.34

Armstrong v. Brown

Second Quarterly Statement of 2016

April 1, 2016 through June 30, 2016

Matter: CDCR/AOAP Monitoring/Merits**Monitoring (581-3)**

	Actual Hours	Claimed Hours	2016 Rates	Total Claimed Fees	Fees Now Owing Based On Negotiated Compromise
<u>ROSEN, BIEN, GALVAN & GRUNFELD</u>					
Michael W. Bien (MWB)	4.40	4.40	\$900	\$3,960.00	\$3,841.20
Gay C. Grunfeld (GCG)	50.80	50.80	\$790	\$40,132.00	\$38,928.04
Ernest Galvan (EG)	2.20	2.20	\$740	\$1,628.00	\$1,579.16
Thomas Nolan (TN)	162.20	162.20	\$610	\$98,942.00	\$95,973.74
Lisa Ellis (LAE)	1.50	1.00	\$600	\$600.00	\$582.00
Michael Freedman (MLF)	107.60	101.80	\$545	\$55,481.00	\$53,816.57
Van Swearingen (VS)	0.40	0.00	\$545	\$0.00	\$0.00
Ben Bien-Kahn (BBK)	163.30	144.30	\$490	\$70,707.00	\$68,585.79
Krista Stone-Manista (KSM)	170.40	167.90	\$490	\$82,271.00	\$79,802.87
Pablo Lastra (PAL)	66.40	56.30	\$435	\$24,490.50	\$23,755.79
Margot Mendelson (MKM)	0.20	0.00	\$490	\$0.00	\$0.00
Jennifer Stark (JS)	0.30	0.00	\$490	\$0.00	\$0.00
Karen Stilber (KES)	103.50	94.80	\$300	\$28,440.00	\$27,586.80
Linda Woo (LHW)	50.70	50.70	\$300	\$15,210.00	\$14,753.70
F. Gail LaPurja (FGL)	45.80	43.10	\$275	\$11,852.50	\$11,496.93
Greg Gonzalez (GZG)	26.20	25.70	\$275	\$7,067.50	\$6,855.48
Fely F. Villadelgado (FFV)	0.20	0.00	\$275	\$0.00	\$0.00
Lauren Vandemortel (LWV)	15.80	15.80	\$260	\$4,108.00	\$3,984.76
Katherine Hamilton (KCH)	289.40	242.40	\$230	\$55,752.00	\$54,079.44
Charlotte Landes (CJL)	119.50	106.70	\$230	\$24,541.00	\$23,804.77
Sasha Beder-Schenker (SBS)	7.00	0.00	\$230	\$0.00	\$0.00
Kelly McGraw (KAM)	279.90	252.90	\$230	\$58,167.00	\$56,421.99
Nathalie Welch (NW)	6.20	0.00	\$230	\$0.00	\$0.00
Sara E. Long (SL)	4.00	0.00	\$215	\$0.00	\$0.00
Total Hours:	1,677.90	1,523.00			
RBGG CLAIMED FEES:				\$583,349.50	\$565,849.02
<u>PRISON LAW OFFICE</u>					
Donald Specter (DS)	67.00	67.00	\$900	\$60,300.00	\$58,491.00
Steve Fama (SF)	2.20	2.20	\$850	\$1,870.00	\$1,813.90
Sara Norman (SN)	118.90	118.90	\$750	\$89,175.00	\$86,499.75
Rebekah Evenson (RE)	12.90	12.90	\$700	\$9,030.00	\$8,759.10
Penny Godbold (PG)	195.20	195.20	\$650	\$126,880.00	\$123,073.60
Corene Kendrick (CK)	224.20	224.20	\$650	\$145,730.00	\$141,358.10
Kelly Knapp (KK)	24.80	24.80	\$565	\$14,012.00	\$13,591.64
Margot Mendelson (MM)	47.50	47.50	\$490	\$23,275.00	\$22,576.75
Amber Norris (AN)	202.00	202.00	\$310	\$62,620.00	\$60,741.40
Anjuli Branz (AB)	146.20	146.20	\$250	\$36,550.00	\$35,453.50
Laura Graham (LG)	32.40	32.40	\$250	\$8,100.00	\$7,857.00
Isaac Dalke (ID)	20.10	20.10	\$250	\$5,025.00	\$4,874.25
Megan Lynch (ML)	113.70	113.70	\$300	\$34,110.00	\$33,086.70
Nora Searle (NS)	75.20	75.20	\$250	\$18,800.00	\$18,236.00
Liliana Paratore (LP)	93.90	93.90	\$250	\$23,475.00	\$22,770.75
Alex Kennedy (AK)	18.20	18.20	\$250	\$4,550.00	\$4,413.50
Sophie Hart (SH)	38.20	38.20	\$250	\$9,550.00	\$9,263.50
Sarah Hopkins	105.4	105.4	\$250	\$26,350.00	\$25,559.50
Total Hours:	1,538.00	1,432.60			
PLO CLAIMED FEES:				\$699,402.00	\$678,419.94
<u>DISABILITY RIGHTS EDUCATION AND DEFENSE FUND</u>					
Hongyu Min (HM)	2.80	2.80	\$160	\$448.00	\$434.56
Total Hours:	2.80	2.80			
DREDF CLAIMED FEES:				\$448.00	\$434.56
TOTAL CLAIMED CDCR/AOAP MONITORING FEES:					
				\$1,283,199.50	\$1,244,703.52

Armstrong v. Brown

Second Quarterly Statement of 2016

April 1, 2016 through June 30, 2016

Costs**Matter: CDCR/AOAP Merits/Monitoring**

	Total Claimed Costs	Costs Now Owing Based On Negotiated Compromise
<u>Rosen, Bien, Galvan & Grunfeld (581-3)</u>		
Photocopying (In house)	\$2,391.80	\$2,320.05
Photocopying/printing (Outside)	\$2,831.15	\$2,746.22
Translation Services	\$275.00	\$266.75
Online Research - PACER, Westlaw	\$104.80	\$101.66
Postage & Delivery	\$457.63	\$443.90
Travel - Mileage, Tolls, Food	\$8,046.34	\$6,970.42
Total RBGG Costs:	\$14,106.72	\$12,848.99
<u>Prison Law Office</u>		
Photocopying (In house)	\$1,729.00	\$1,677.13
Travel - Mileage, Tolls, Food	\$16,408.61	\$15,916.35
Postage & Delivery	\$1,222.09	\$1,185.43
Total PLO Costs:	\$19,359.70	\$18,778.91
<u>Disability Rights Education & Defense Fund, Inc.</u>		
Photocopying (in-house)	\$207.60	\$201.37
PACER	\$4.40	\$4.27
Postage & Delivery	\$35.35	\$34.29
Total DREDF Costs:	\$247.35	\$239.93
TOTAL UNDISPUTED CDCR/AOAP MERITS/MONITORING COSTS:	\$33,713.77	\$31,867.83

EXHIBIT B

Armstrong v. Brown

First Quarterly Statement of 2016
April 1, 2016 through June 30, 2016

BPH SUMMARY OF UNDISPUTED FEES AND COSTS

<u>MATTER</u>	<u>UNDISPUTED FEES</u>	<u>UNDISPUTED COSTS</u>
BPH	\$32,690.94	\$720.72
	TOTAL:	\$33,411.66

Armstrong v. Brown

Second Quarterly Statement of 2016
 April 1, 2016 through June 30, 2016

Matter: BPH

<u>BPH (581-4)</u>	<u>Actual Hours</u>	<u>Claimed Hours</u>	<u>2016 Rates</u>	<u>Total Claimed Fees</u>	<u>Fees Now Owing Based On Negotiated Compromise</u>
<u>BPH MONITORING (581-4)</u>					
<u>ROSEN, BIEN, GALVAN & GRUNFELD</u>					
Michael W. Bien (MWB)	0.7	0.7	\$900	\$630.00	\$611.10
Gay C. Grunfeld (GCG)	1.50	1.50	\$790	\$1,185.00	\$1,149.45
Thomas Nolan (TN)	22.80	22.80	\$610	\$13,908.00	\$13,490.76
Margot K. Mendelson (MKM)	5.50	5.50	\$490	\$2,695.00	\$2,614.15
Kelly McGraw (KAM)	0.50	0.50	\$230	\$115.00	\$111.55
Katherine Hamilton (KCH)	8.70	6.30	\$230	\$1,449.00	\$1,405.53
Total Hours:	39.00	36.60			
RBGG CLAIMED FEES:				\$19,982.00	\$19,382.54
<u>PRISON LAW OFFICE</u>					
Rana Anabtawi (RA)	28.00	28.00	\$490	\$13,720.00	\$13,308.40
Total Hours:	0.00	0.00			
PLO CLAIMED FEES:				\$13,720.00	\$13,308.40
TOTAL CLAIMED FEES FOR BPH WORK:				\$33,702.00	\$32,690.94

Armstrong v. Brown

Second Quarterly Statement of 2016

April 1, 2016 through June 30, 2016

Costs***Matter: BPH*****Rosen, Bien, Galvan & Grunfeld (581-4)**

Photocopying (In house)

Travel - Mileage, Tolls, Food

Total RBGG Costs:

Total Claimed Costs	Costs Now Owing Based On Negotiated Compromise
\$54.40	\$52.77
\$432.42	\$419.45
\$486.82	\$472.22

Prison Law Office

Travel - Mileage, Tolls, Food

Total PLO Costs:

TOTAL CLAIMED BPH COSTS:

\$256.19	<u>\$248.50</u>
\$256.19	\$248.50
\$743.01	\$720.72

EXHIBIT C

Armstrong v. Brown
Second Quarterly Statement of 2016
April 1, 2016 through June 30, 2016

DAPO SUMMARY OF UNDISPUTED FEES AND COSTS

<u>MATTER</u>	<u>UNDISPUTED FEES</u>	<u>UNDISPUTED COSTS</u>
DAPO MONITORING	\$277,550.47	\$6,585.31
	TOTAL:	\$284,135.78

Armstrong v. Brown

Second Quarterly Statement of 2016

April 1, 2016 through June 30, 2016

Matter: DAPO Monitoring**DAPO Monitoring (581-9)**

	<u>Actual Hours</u>	<u>Claimed Hours</u>	<u>2016 Rates</u>	<u>Total Claimed Fees</u>	<u>Fees Now Owing Based On Negotiated Compromise</u>
<u>ROSEN, BIEN, GALVAN & GRUNFELD</u>					
Michael W. Bien (MWB)	1.80	1.80	\$900	\$1,620.00	\$1,571.40
Gay C. Grunfeld (GCG)	33.00	33.00	\$790	\$26,070.00	\$25,287.90
Ernest Galvan (EG)	0.90	0.00	\$740	\$0.00	\$0.00
Thomas Nolan (TN)	7.80	6.80	\$610	\$4,148.00	\$4,023.56
Aaron Fischer (AJF)	37.50	37.50	\$575	\$21,562.50	\$20,915.63
Michael Freedman (MLF)	29.70	29.70	\$545	\$16,186.50	\$15,700.91
Benjamin Bien-Kahn (BBK)	129.60	120.20	\$490	\$58,898.00	\$57,131.06
Margot Mendelson (MKM)	22.90	22.10	\$490	\$10,829.00	\$10,504.13
Jennifer L. Stark (JLS)	18.10	14.30	\$490	\$7,007.00	\$6,796.79
Krista Stone-Manista (KSM)	3.00	0.00	\$490	\$0.00	\$0.00
Pablo Lastra (PAL)	105.50	98.80	\$435	\$42,978.00	\$41,688.66
Christopher Hu (CDH)	74.80	70.70	\$410	\$28,987.00	\$28,117.39
Karen Stilber (KES)	21.90	21.60	\$300	\$6,480.00	\$6,285.60
F. Gail LaPurja (FGL)	34.20	32.30	\$275	\$8,882.50	\$8,616.03
Kelly McGraw (KAM)	72.50	65.20	\$230	\$14,996.00	\$14,546.12
Katherine Hamilton (KCH)	0.40	0.00	\$230	\$0.00	\$0.00
Charlotte Landes (CL)	0.50	0.00	\$230	\$0.00	\$0.00
Nathalie Welch (NCW)	191.90	163.00	\$230	\$37,490.00	\$36,365.30
Total Hours:	786.00	717.00			
RBGG CLAIMED FEES:				\$286,134.50	\$277,550.47
TOTAL CLAIMED FOR DAPO MONITORING WORK:				\$286,134.50	\$277,550.47

Armstrong v. Brown

Second Quarterly Statement of 2016

April 1, 2016 through June 30, 2016

Costs***Matter: DAPO Monitoring*****Rosen, Bien, Galvan & Grunfeld (581-9)**

	Total <u>Claimed Costs</u>	Costs Now Owing Based On <u>Negotiated Compromise</u>
Photocopying (in-house)	\$1,206.50	\$1,170.31
Photocopying (outside)	\$429.53	\$416.64
Interpreting Services	\$238.08	\$230.94
Westlaw	\$4.36	\$4.23
Travel - Mileage, Tolls, Food	\$4,910.51	\$4,763.19
Total RBGG Costs:	\$6,788.98	\$6,585.31
TOTAL CLAIMED DAPO MONITORING COSTS:	\$6,788.98	\$6,585.31

EXHIBIT D

Armstrong v. Brown
Second Quarterly Statement of 2016
April 1, 2016 through June 30, 2016

SUMMARY OF UNDISPUTED FEES WORK AND COSTS

	<u>UNDISPUTED FEES</u>	<u>UNDISPUTED COSTS</u>
FEES WORK (ALL MATTERS)	\$18,702.57	\$245.35
TOTAL:		\$18,947.92

Armstrong v. Brown

Second Quarterly Statement of 2016

April 1, 2016 through June 30, 2016

Matter: All Matters Fees Work**Fees (581-2)**

	<u>Actual Hours</u>	<u>Claimed Hours</u>	<u>2016 Rates</u>	<u>Total Claimed Fees</u>	<u>Fees Now Owing Based On Negotiated Compromise</u>
<u>ROSEN, BIEN, GALVAN & GRUNFELD</u>					
Michael W. Bien (MWB)	1.00	1.00	\$900	\$900.00	\$873.00
Gay C. Grunfeld (GCG)	15.80	15.80	\$790	\$12,482.00	\$12,107.54
Ernest Galvan (EG)	0.10	0.10	\$740	\$74.00	\$71.78
F. Gail LaPurja (FGL)	0.30	0.00	\$275	\$0.00	\$0.00
Kelly McGraw (KAM)	0.80	0.00	\$230	\$0.00	\$0.00
Lauren Vandemortel (LWV)	16.30	11.70	\$260	\$3,042.00	\$2,950.74
Total Hours:	34.30	28.60			
RBGG CLAIMED FEES:				\$16,498.00	\$16,003.06
<u>PRISON LAW OFFICE</u>					
Rebekah Evenson (RE)	1.1	1.1	\$700	\$770.00	\$746.90
Ashley Kirby (AK)	7.3	7.3	\$200	\$1,460.00	\$1,416.20
Total Hours:	8.40	8.40			
PLO CLAIMED FEES:				\$2,230.00	\$2,163.10
<u>DISABILITY RIGHTS EDUCATION AND DEFENSE FUND</u>					
Linda Kilb (LDK)	0.70	0.70	\$790	\$553.00	\$536.41
Total Hours:	0.70	0.70			
DREDF CLAIMED FEES:				\$553.00	\$536.41
TOTAL CLAIMED FEES FOR ARMSTRONG FEES WORK:				\$19,281.00	\$18,702.57

Armstrong v. Brown

Second Quarterly Statement of 2016

April 1, 2016 through June 30, 2016

Costs***Matter: Fees Work in All Matters*****Rosen, Bien, Galvan & Grunfeld (581-2)**

Photocopying and Printing (in-house)

Postage & Delivery

Total RBGG Costs:

Total Claimed Costs	Costs Now Owing Based On Negotiated Compromise
\$220.00	\$213.40
\$19.14	\$18.57
\$239.14	\$231.97

Disability Rights Education & Defense Fund, Inc.

Photocopying (in-house)

Total DREDF Costs:**TOTAL CLAIMED FEES WORK COSTS :**

\$13.80	\$13.39
\$13.80	\$13.39
\$252.94	\$245.35